

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
STATE OF MISSOURI**

D.H. et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Cause No. 4:14-CV-1882-RWS
	)	
JANE DOE I, et al.,	)	
	)	
Defendants.	)	

**MOTION FOR ORAL ARGUMENT**  
**ON PENDING MOTION FOR SUMMARY JUDGMENT**

COME NOW Plaintiffs, D.H., C.L., and J.P. (collectively, “Plaintiffs”), by and through undersigned counsel, and move this Court for an Order granting oral argument on Defendants’ pending Motion for Summary Judgment. In support of this Motion, Plaintiffs hereby state as follows:

1. On May 5, 2016, Defendants filed a Motion for Summary Judgment [Doc. 81], a Memorandum in Support [Doc. 82], and a Statement of Uncontroverted Material Facts. [Doc. 83].
2. On June 17, 2016, Plaintiffs filed a Memorandum in Opposition to Defendants’ Motion for Summary Judgment [Doc. 86] and a Response to Defendants’ Statement of Uncontroverted Material Facts and Statement of Additional Uncontroverted Facts that Preclude Summary Judgment. [Doc. 87].
3. On July 11, 2016, Defendants filed a Reply Memorandum in Support of their Motion for Summary Judgment [Doc. 91] and a Response to Plaintiffs’ Statement of Additional Uncontroverted Facts. [Doc. 92].
4. According to Local Rule 4.02(B), “A party requesting the presentation of oral

argument or testimony in connection with a motion shall file such request with its motion or memorandum briefly setting forth the reasons which warrant the hearing of or argument or testimony.”

5. At the time Plaintiffs filed their Memorandum in Opposition to Defendants’ Motion for Summary Judgment, Plaintiffs did not anticipate that oral argument on the Motion would be necessary. However, upon review of Defendants’ Reply in Support of their Motion for Summary Judgment, Plaintiffs now recognize that oral argument on the Motion is warranted.

6. Oral argument on the Motion will afford the parties an opportunity to further detail the facts and to clarify legal arguments in support of their positions, thus providing this Court with further particulars concerning this litigation. Oral argument will provide this Court with further specificity of the parties’ positions that may assist this Court in reaching a decision concerning the pending Motion for Summary Judgment.

WHEREFORE, for the foregoing reasons, Plaintiffs respectfully request that the Court grant Plaintiffs’ Motion for Oral Argument, and for such other and further orders and relief as the Court deems just and proper in the circumstances.

Respectfully submitted,

**CAPES, SOKOL, GOODMAN &  
SARACHAN, P.C.**

By: /s/ Sheila Greenbaum  
Gary Sarachan, MBE 25683  
Sheila Greenbaum, MBE 25422  
Ian Murphy, MBE 68289  
7701 Forsyth Blvd. 12th Floor  
St. Louis, MO 63105-1818  
(314) 505-5440  
(314) 505-5441 (fax)  
sarachan@capessokol.com  
greenbaum@capessokol.com  
murphy@capessokol.com

**AMERICAN CIVIL LIBERTIES UNION  
OF MISSOURI FOUNDATION**

By: /s/ Gillian R. Wilcox  
Anthony E. Rothert, MBE 44827  
Gillian R. Wilcox, MBE 61278  
454 Whittier St.  
St. Louis, MO 63108  
(314) 652-3114  
(314) 652-3112 (fax)  
arothert@aclu-mo.org  
gwilcox@aclu-mo.org.

*Attorneys for Plaintiffs D.H., C.L., and J.P.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on July 12, 2016, the foregoing was served via this Court's electronic filing system upon all counsel of record herein.

/s/ Sheila Greenbaum